

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DARYL FITZGERALD MILEY, )  
#158294, )  
 )  
Plaintiff, )  
 )  
v. ) CIVIL ACTION NO. 2:05cv217-MHT  
 ) (WO)  
PRISON HEALTH SERVICES, INC., )  
et al., )  
 )  
Defendants. )

**ORDER**

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on February 2, 2006, said Recommendation is hereby adopted, and it is the ORDER, JUDGMENT and DECREE of the court that this case is DISMISSED without prejudice for plaintiff's failures to prosecute this action properly and to comply with the orders of this court.

Done this 16th day of February, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE